

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 19, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

BLAKE CHAPMAN and ALICIA
CHAPMAN, individually and as the
marital community thereof,

Plaintiffs,

vs.

ALLSTATE PROPERTY AND
CASUALTY INSURANCE
COMPANY, an Illinois Corporation,
doing business in the State of
Washington; BILL JONES
CONSULTING LLC, a Washington
Limited Liability Company, doing
business as A-1 CONSTRUCTION
AND REMODELING,

Defendants.

No. 2:23-CV-00201-MKD

ORDER OF DISMISSAL

ECF No. 9

Before the Court is the parties'¹ Stipulated Dismissal With Prejudice and
Without Costs and Fees, ECF No. 9. The parties stipulate to dismissal of "all

¹ Alicia Chapman joins in this stipulation. Ms. Chapman was reportedly named as

1 claims and causes of action by Plaintiffs against Defendants,” with prejudice and
2 without an award of fees or costs to any party. ECF No. 9 at 1-2. Pursuant to Fed.
3 R. Civ. P. 41(a)(1)(A)(ii), a plaintiff may dismiss an action without court order by
4 filing a stipulation of dismissal signed by all parties who have appeared. The
5 stipulation is signed by all parties who have appeared.

6 Defendant Bill Jones Consulting LLC has not appeared in this matter.
7 Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), a plaintiff may dismiss an action without
8 court order by filing a notice of dismissal before the opposing party serves either
9 an answer or a motion for summary judgment. As the Stipulated Dismissal
10 pertains to “Defendants,” not just to Defendant Allstate, ECF No. 9 at 2, the Court
11 construes it to serve as Plaintiffs’ notice of dismissal, filed before Defendant Bill
12 Jones Consulting served an answer or motion for summary judgment.

13 Accordingly, **IT IS ORDERED:**

14 1. The parties’ Stipulated Dismissal With Prejudice and Without Costs
15 and Fees, **ECF No. 9**, is **GRANTED**.

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18 _____
19 a plaintiff in the original complaint filed in Spokane County Superior Court on
20 June 12, 2023, but not a named plaintiff in the Amended Complaint filed on June
13, 2023. ECF No. 1 at 2 ¶ 1.

1 2. Pursuant to Rule 41(a)(1)(A)(i)-(ii) and the parties' stipulation, all
2 claims are **DISMISSED with prejudice**, without an award of fees or costs.

3 3. Any pending motions are **DENIED as moot**.

4 4. All hearings and other deadlines are **STRICKEN**.

5 **IT IS SO ORDERED.** The District Court Executive is directed to file this
6 order, provide copies to counsel, and **CLOSE** the file.

7 DATED October 19, 2023.

8 s/Mary K. Dimke
9 MARY K. DIMKE
10 UNITED STATES DISTRICT JUDGE